

LAW OFFICES OF
McGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC

A PROFESSIONAL LIMITED LIABILITY COMPANY
PATENTS, TRADEMARKS, COPYRIGHTS, AND INTELLECTUAL PROPERTY LAW
8321 OLD COURTHOUSE ROAD, SUITE 200
VIENNA, VIRGINIA 22182-3817
TELEPHONE: (703) 761-4100
FACSIMILE/DATA: (703) 761-2375; 761-2376
E-MAIL: MCGINNGIBB @ AOL.COM / ADMIN @ MCGINNIPLAW.COM
SENDER'S E-MAIL: JDRESCH @ MCGINNIPLAW.COM

SEAN M. MCGINN
PHILLIP E. MILLER†
FREDERICK E. COOPERRIDER†
JAMES E. HOWARD†
JAMES N. DRESSER
JOHN J. DRESCH
SCOTT M. TULINO
J. BRADLEY WRIGHT†
†MEMBER OF BAR OTHER THAN VA

September 6, 2005

VIA FACSIMILE
(Total No. of Pages Transmitted: 4)

To: Examiner Christian A. La Forgia
Group Art Unit: 2131
U.S.P.T.O.

Facsimile No.: 571-273-8300

From: John J. Dresch, Esq.

Facsimile No.: 703-761-2375 or 76

Re: Enclosed Statement of the Substance of the Telephone Conference
U.S. Patent Application No.: 09/457,732
Attorney Docket No.: YOR919990137US1
Our Reference: YOR.080

Dear Examiner La Forgia:

Enclosed for filing is Statement of the Substance of the Telephone Conference conducted on August 5, 2005, in compliance with M.P.E.P. § 713.04, in the above-referenced application.

Thank you in advance for your kind consideration on this case.

Very truly yours,


John J. Dresch, Esq.
Registration No. 46,672

JJD/SMM
Enclosure

RECEIVED
CENTRAL FAX CENTER

SEP 06 2005

YOR.080

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Andrea CALIFANO, et al.

Serial No.: 09/457,732

Group Art Unit: 2131

Filed: December 10, 1999

Examiner: La Forgia, Christian A.

For: SEMIOTIC SYSTEM AND METHOD WITH PRIVACY PROTECTION

Honorable Commissioner of Patents
Alexandria, VA 22313-1450

STATEMENT OF SUBSTANCE OF THE TELEPHONE CONFERENCE

Sir:

Please review and enter the following remarks summarizing the telephone conference conducted on August 5, 2005:

INTRODUCTORY COMMENTS

Remarks begin on page 2 of this paper.

U.S. Application No. 09/457,732
Docket No. YOR919990137US1
(YOR.080)

2

REMARKS

As a preliminary matter, Applicant's representative would like to thank Examiner La Forgia for courtesies extended in the telephone conference conducted on August 5, 2005. Applicant submits this Statement to comply with the requirements of M.P.E.P. § 713.04.

In the interview, the following was discussed:

Applicant's representative argued that the relied upon disclosure of the Borza reference is not believed to enable the ordinarily skilled artisan to determine how to compare two encrypted data sets to determine similarity between the two original data sets, which is an exemplary problem being solved by the claimed invention.

Applicant's representative discussed the possibility of submitting a Declaration under 37 C.F.R. § 1.132 by one or more of the inventors to address the lack of operability of the alleged combination and the lack of enablement of the primary reference.

The Examiner kindly noted that such a Rule 132 Declaration may be beneficial to advancing Applicant's position and would be considered by the Examiner, if the filing of such is deemed appropriate by Applicant.

The Examiner also stated that, a Rule 132 Declaration also may be beneficial for responding to the rejection under 35 U.S.C. § 101.

Applicant will evaluate such Rule 132 Declarations and file such Declarations if deemed appropriate.

U.S. Application No. 09/457,732
Docket No. YOR919990137US1
(YOR.080)

3

It is believed that no petition or fee is required. However, if the USPTO deems otherwise, the Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: September 6, 2005


John J. Dresch, Esq.

Registration No. 46,672

Sean M. McGinn, Esq.

Registration No. 34,386

MCGINN INTELLECTUAL PROPERTY

LAW GROUP, PLLC

8321 Old Courthouse Road, Suite 200

Vienna, Virginia 22182-3817

(703) 761-4100

Customer No. 21254

CERTIFICATE OF TRANSMISSION

I certify that I transmitted via facsimile to (703) 872-9306 the enclosed Statement of the Substance of the Telephone Conference to Examiner Christian A. La Forgia on September 6, 2005.


John J. Dresch, Esq.

Registration No. 46,672

Sean M. McGinn, Esq.

Registration No. 34,386